

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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IRA NATHIEL and SHELDON NATHIEL,

Plaintiffs,

- against -

RICHARD SIEGAL, GEORGE COLEMAN,
HARVEY JOSEPHSON, ROBERT A. TREVISANI,
PAUL HOWARD, RICHARD S. GURALNICK,
SCHAIN LEIFER GURALNICK, BISTATE OIL
MANAGEMENT CORPORATION, SS&T
HOLDING CO., LLC, PALACE EXPLORATORY
COMPANY, TAH DRILLING CO., INC., TAQ
DRILLING CO., INC., OIL AND GAS TITLE
HOLDING CORPORATION, JOHN DOES 1-20,
JOHN DOE CORPORATIONS 1-20, JOHN DOE
LLCs 1-20, AND JOHN DOE LLPs 1-20,

Defendants.
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: ECF case
: 07-CIV-10956 (LBS) (HPB)

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the attached affidavit of Daniel L. Carroll, sworn to February 27, 2008, the accompanying memorandum of law, and the prior proceedings in this action, the undersigned will move this Court, before the Honorable Leonard B. Sand, at the United States Courthouse, 500 Pearl Street, New York, New York 10007, on Thursday, April 24, 2008, at 2:15 p.m., or such other date and time as the Court may designate, under Rules 12(b)(6) and 12(b)(1) of the Federal Rules of Civil Procedure, for an order dismissing all claims in plaintiffs' first amended complaint, dated December 13, 2007, against defendant Harvey Josephson, together with such other and further relief as the Court deems just and proper.

Dated: New York, New York
February 27, 2008

**INGRAM YUZEK GAINEN CARROLL
& BERTOLOTTI, LLP**

By: 

Daniel L. Carroll (DC-5553)

Susan B. Ratner (SR-1446)

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Harvey Josephson